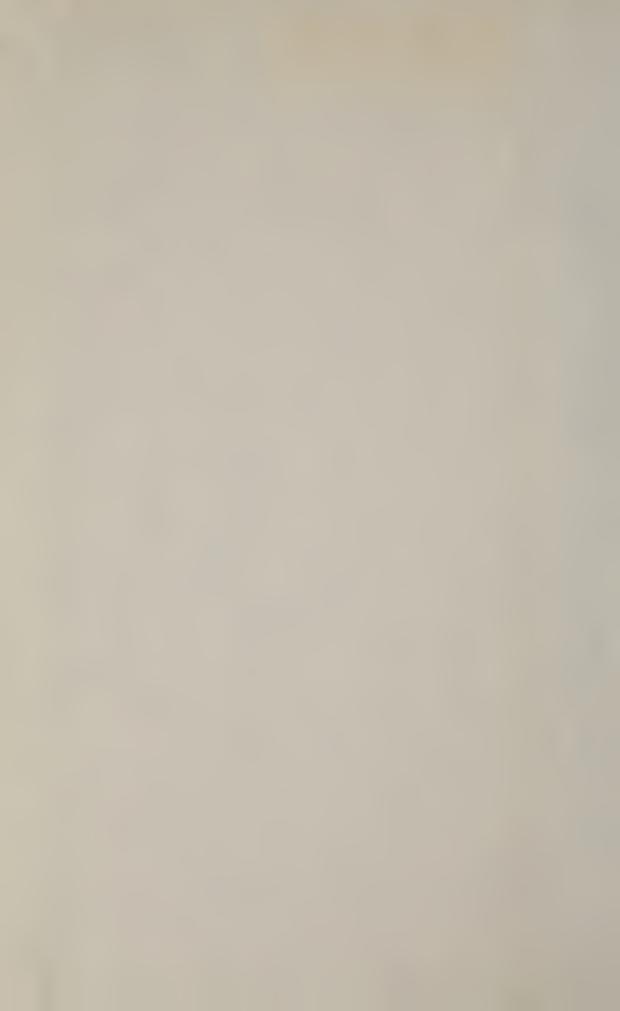
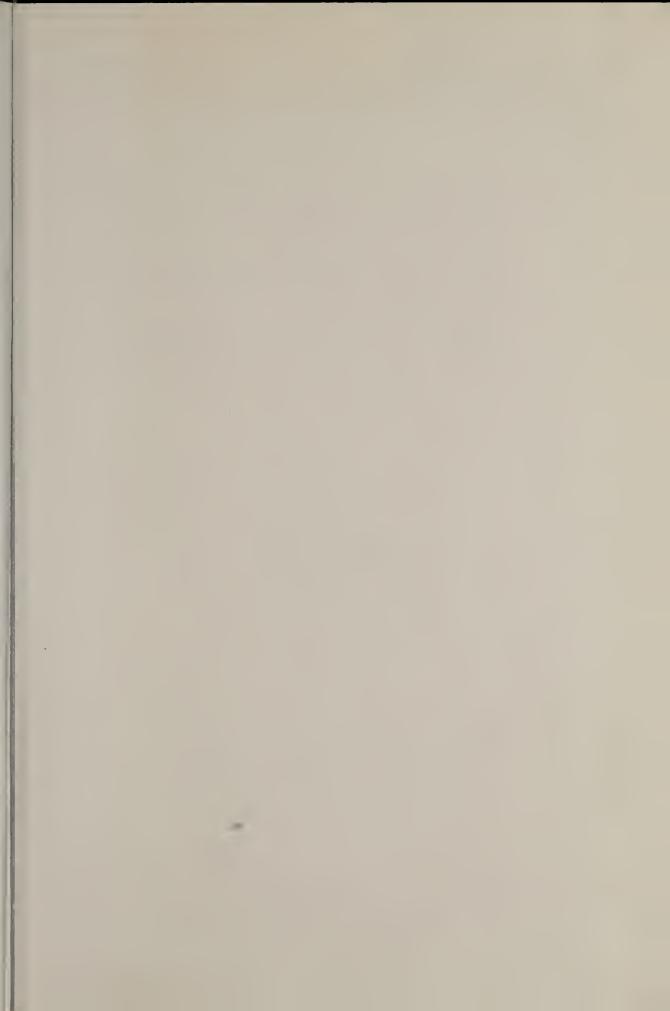


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> REYNOLDS HISTORICAL GENEALOGY COLLECTION









The Great Great Grandfather of Your Land Title



Printed at Providence for TITLE GUARANTEE COMPANY of RHODE ISLAND 66 South Main Street, Providence, R. I.

WRITTEN, DESIGNED

and PRINTED by

EDWARDS. JONES SONS

COMPANY

PROVIDENCE, R. I.

HIS BOOK is dedicated to those people of Rhode Island who so far believe in the destiny of their State that they have "taken root" in her

It is published in the hope that it will aid present and future Rhode Island land holders to understand more fully and appreciate more keenly those conditions in the past that have made "title flaws" an actual menace to the owner of real estate, and that have created a perfect form of protection against this menace through what is known as Title Insurance.

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Roger Williams

Most of the Land Titles in Rhode Island started "clean" because of the influence of Roger Williams who, in addition to being a great friend of the Indians, was the apostle of fair play in all instances where the whites purchased land from the red men.

The Great Great Grandfather of Your Land Title

OU have bought a piece of the State of Rhode Island, and we have had the privilege of searching the "title" to the land in your behalf. We have tried to be of real assistance to you and to your associates in closing this important matter, and we hope that you feel we have succeeded.

Of course, in real estate transactions there is a great deal of seemingly dry-as-dust work. Our part must be done with a painstaking exactness that probably seemed to you most tiresome and long-drawn-out. Your natural desire has been to get the matter completed so you might begin to enjoy the benefits of your purchase. The tedious side of the affair is completed now; the title has been searched and insured. You are in a position to get the most out of the property you have bought, and we hope your ownership will prove a constant source of satisfaction.

We, on our part, can now take the time to tell you some things about your land more interesting by far than those touched on while the matter of Title Search and Insurance was under consideration.

Usually people do not think of a piece of land as being "old" unless there happens to be situated on it one of those ancient houses that "date back to Indian times." But of course

the land itself that you have bought dates back to Indian times, whether there is a house on it hundreds of years old, or whether the house that goes with it is still no more than a collection of lines and figures on the contractor's plans.

Every foot of land in Rhode Island was once Indian land, owned by the Wampanoag, Narragansett or other Indian tribes. When the white man first came (about 1634 - 1636) all this land was under the control of Canonicus and Miantonomo, Sachems of the Narragansetts, and Massasoit (or Ousamequin), Chief of the Wampanoags.

Look at the map on page 9. Does your land lie at the left or the right of the heavy dotted line running from top to bottom? If it is on the right your title comes down to you from Massasoit; if on the left, from Canonicus and Miantonomo.

You, who have acquired real estate in Rhode Island by the most modern method, and have seen the title to that real estate safeguarded in the most efficient way, will perhaps be interested to follow for a few pages the story of how that same land and the neighboring territory came into the hands of the "forefathers" from whom it has come down the ages to you.

First let us get acquainted with those who owned the land at the time the white men came. They were Indians,—but make no mistake about the Indian. Some writers have pictured him as a howling, screeching, killing savage. Others would have us believe that he was something a little finer than common clay, fitting perfectly the grandiloquent phrase, "The Noble Red Man." In truth the Indian was about the same in the foundations of his nature as you and I. Some Indians welcomed the white man; others were suspicious and fearful of him, fighting against him from the outset. Some Indians, like Massasoit, Samoset and Squanto, were his true friends and kindly neighbors, while others, like Pumham, Sacononoco and Caunbitant, ranged all the way from being shy and afraid of him, to cheating, fighting and



Are you Narragansett or Wampanoag?

This map will give you a good general idea as to the original source of your land title. If your property is located at the right of the heavy dotted line your title probably started with Massasoit (sometimes known as Ousamequin) Chief of the Wampanoags. If it lies at the left, the first deed turning it over to the white men was in all likelihood executed by Canonicus and Miantonomo or by some of their subject Sachems.

murdering him. The Indians were not "noble red men," nor were they the "copper skinned varmints" and "painted fiends" that some hysterical rather than historical writers would have us believe.

If the truth be told, the white man can blame himself for most of the ill will that was shown him by some of his copper-hued neighbors. It is quite evident that the first wrongs were done to the Indian by the white man rather than to the white man by the Indian. The Puritans, particularly, looked upon the red natives as beings of a lower order, and fair game for anything "white superiority" might choose to do to them. Probably you and I would howl and screech and go on the war path if our homes were taken from us by force and there were no courts of justice to which we could appeal for redress. As we look over certain of the earliest "real estate deals" we find that some of the pious forefathers were the real inventors of that warped idea, "It's all right if you don't get caught!"

But fortunately for the future of New England there were men like Bradford, Winthrop and Williams who evidently meant to give, tried to give and in a large measure did give the Indians a "square deal". Roger Williams in particular was a champion of fair play for the red men in all land transactions, and it is notable that most of the real accomplishments of those earliest days came about through such men as he, with friendly Indian Sachems aiding them.

Among the Indians Massasoit must stand out as the first of the great Sachems to give real aid to the immigrants from England. He seems to have come the nearest of any to fitting that poetic term, "The Noble Red Man." He was noble in appearance. Not only his face, but his bodily size and beauty impressed those of the early settlers who have left written accounts of him. He was admired among the whites and his own people alike for his justice and his kindliness, his temper

which was slow to kindle and quick to cool. Not once, but many times, he was the means of saving the people of Plymouth Colony from starvation, with supplies of food and aid in planting and bringing through their crops.

But Plymouth Colony is another story. We are concerned with Rhode Island just now, and although Massasoit ruled over all of south-eastern Massachusetts, his home, his real seat of government, lay within what is now Rhode Island,—old Sowams, occupying the fertile valleys of the Warren and Barrington Rivers.

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Massasoit's kingdom originally stretched well into the northern part of Rhode Island, but just previous to the coming of the white men two misfortunes had befallen him and greatly reduced his power. One was a pestilence that weakened his tribe in numbers, and the other was his defeat and subjugation, probably because of the weakened state of his fighting force, by his traditional enemies, the Narragansetts. As a result, the Pilgrims and Roger Williams found Massasoit, though still a noble Sachem, ruling as a subsidiary chief to Canonicus and Miantonomo.

Roger Williams now takes his place in our story as its principal actor. Most of us know something of his banishment from Massachusetts, supposedly because of strong differences between his religious beliefs and those of the rulers of Massachusetts Bay and Plymouth Colonies. But if we think that religious differences were the only reasons for his troubles we are vastly mistaken. Williams held certain views regarding the taking of land from the Indians that did not please the property owners of Massachusetts. He held that the Indians, though subject to the British King, were the owners of the land, and that none should take it from them save by bona fide purchase,— by a fair bargain satisfactory to all concerned. His opponents, many of whom had taken their land from the natives without thought of payment and without consideration of their rights, maintained

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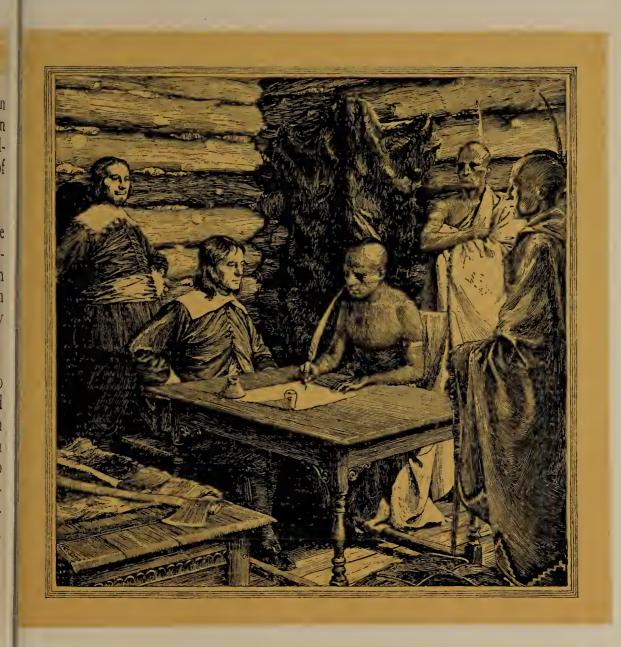
that they had acted properly in doing this, as the land had been granted to them by the English King. Naturally, to these men it was most disturbing to have Williams preaching such a "realestate doctrine" and actually winning many over to his way of thinking.

From the very beginning Williams was the friend of the Indians. His ambition was to go to them as a Christian Missionary, and as a result of his journeys among them few if any men of his day had his understanding and command of the Indian tongue. Probably none had lived with the tribes as intimately as he or had established as strong bonds of friendship.

All this was well for him, as it gave him a natural way to turn when the Rev. John Cotton and his associates, who ruled the Massachusetts Bay Colony with iron hands and equally iron minds, finally took action to banish him. It was their intention to send him back to England, but while Williams was willing to leave his home in Salem, if need be, he had no intention of recrossing the Atlantic and giving up his dreams of great accomplishment in the New World. He had left England because he could not conform to the narrow dictates of the old country church government, and he certainly did not intend to be sent back there by the equally narrow ideas of the new country clergy.

In his work among the Indians he had formed particularly strong friendships with Massasoit, Miantonomo and Canonicus. He had made them many valuable presents and had performed for them many great services, at times even acting as mediator when war threatened among the tribes. While he may have had no thought of future gain in this, he turned to his red friends with much confidence when, driven from his home, he needed aid.

His confidence in the friendship of the three Sachems was well founded. Massasoit immediately gave him land in Seekonk



"The Great-Great-Grandfather of your Land Title"

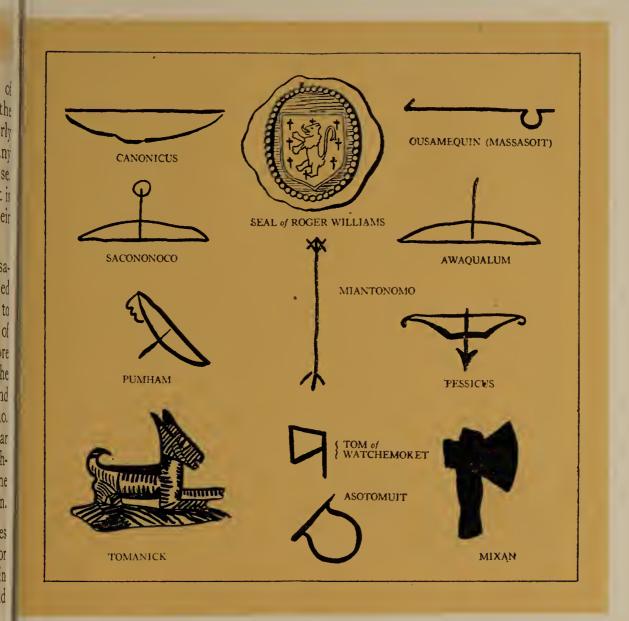
Roger Williams and those who believed, as he did, that when land was bought from the Indians there should be a fair bargain between friends, tried whenever they could to have everything "ship-shape" through the signing of a properly drawn document. The Indian sellers and their witnesses signed these deeds with interesting "picture writing." (See page 15.)

and so he settled in what is now the Phillipsdale section of the Town of East Providence. That name, Seekonk, by the way, has an interesting origin. We find it spelled, in the early records, Seekonk, Sekonk, Secunk, Seakonk and in as many other ways as an age notable for its bad spelling could devise. But it is not the spelling of the name that is worth notice. It is the sound. The Indians invented the word to represent their idea of the cry of the black goose, common in those parts.

Williams was soon warned out of this district, for Massachusetts Bay, not vitally interested in Seekonk before he settled there, got wind of what he was doing and forced Plymouth to assert its claim to the land. Friends warned Roger Williams of the new "kettle of fish" that was brewing for him, and before any direct action could be taken against him he crossed the Seekonk River and started the Town of Providence on land granted him in an "oral deed" by Canonicus and Miantonomo. The bounds of this land, as described by Williams, began near Pawtucket Falls, ran to Neutakoncanut Hill, thence to Mashpaug, from there to Pawtuxet, and from Pawtuxet across to the mouth of the Seekonk River and back to Pawtucket Falls again.

For these lands Williams, in his written accounts, states that he paid the Indians nothing. Here was his reward for presents made and services rendered to the Indian chieftains in the past. Such was the clear understanding between him and the Sachems, who were entirely satisfied with the transaction.

This "land deal" was typical of those that followed in Rhode Island, not that others were able to come and get property without payment, but that all Rhode Island transactions, up to the time of King Philip's War, evidently were open and above-board and carried with them satisfaction, in one form or another, for the Indians. The influence of Williams' insistence on fair treatment for his red friends seems to have been felt in every case, and in every instance "compleat satisfaction" appears to have been given to "ye sauvages".



Roger Williams' Seal and Indian "Signatures"

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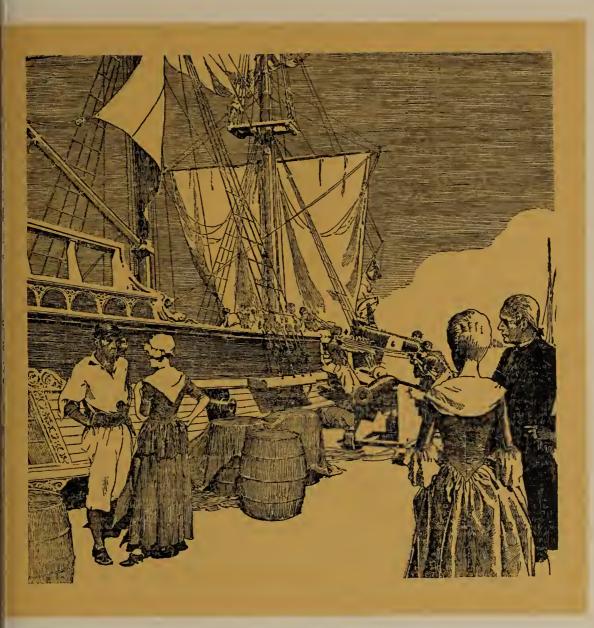
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Indian "signatures." These were not "marks" made because the Indians could not write. They were real signatures. Doubtless the modern handwriting expert can find in them identifying characteristics as strong as those of the best penman of our day. Some of the prices paid to the Indians are both interesting and amusing in the light of modern land values. Seldom did coined money change hands, for to the natives at that time gold and silver meant little or nothing. Their own money, "wampumpeag", sometimes appears as full or part payment, but in the main the "medium of exchange" ran all the way from such useful things as blankets, axes, cloth and hoes, through a strange assortment of old military coats and brass jewelry — to sundry "jugges of strong water."

The method followed by the Indians in signing those deeds (such as were not mere spoken agreements before witnesses) is also interesting. We too readily jump to the conclusion that these red men could not write, because they "made their marks" instead of writing their names in English letters. Of course, the deeds were written in English and read to the Sachems by some trusted interpreter (often Roger Williams himself), but the Indians could write their own "picture language," and it was with pictures that they signed their names. We show on page 15 the signatures of Massasoit, Canonicus, Miantonomo and several others among the "real estate owners" of the Narragansett and Wampanoag tribes.

So it was—in the main by fair exchange—that the soil passed in great sections over to the newcomers. Then the further division of the land began, starting "chains of title" that have multiplied until today on the Rhode Island records there are thousands of title-chains and hundreds of thousands of land transactions recorded.

This breaking up of the land started with grants from Williams and other first buyers to companions and to later comers who were taken into the newly settled towns. Immense areas were, in this way, divided into "towne lots," farms and woodland holdings.



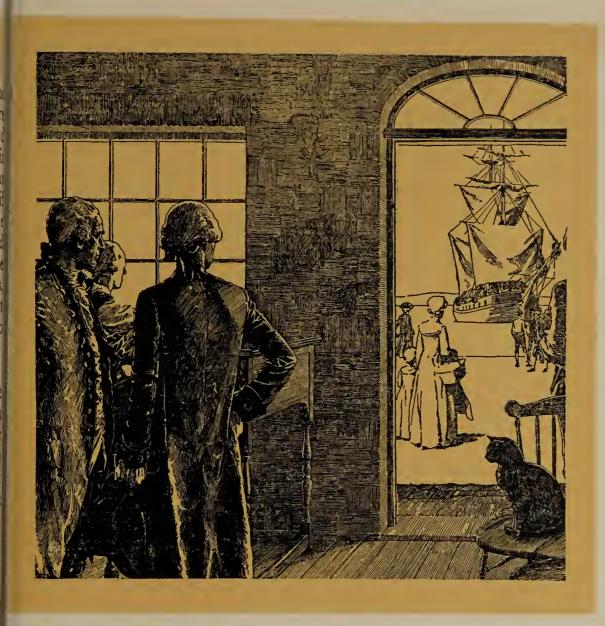
When Rhode Island Towns became Seaports

It was the coming of maritime trade to Rhode Island that brought about the first marked division of the land into plots similar to what we now refer to as "house lots". Up to that time Rhode Island towns were mainly the places where farmers, tilling the outlying lands, came together to live for purposes of mutual protection. The people, however, were not really "town people" and many of the town lots were small farms in themselves.

Very early in the course of the history of Rhode Island land trouble began to brew over the titles. Certain sections were claimed by the Connecticut government. Massachusetts and Plymouth insisted that parts of Rhode Island fell within their jurisdiction. Consequently many land owners were "on pins and needles", realizing that they could hold their property only if Rhode Island's claims should be upheld by the courts of the mother country, England. Sharp legal battles were fought, and not infrequently powder and shot came near to entering in as the deciding factors in these contests. The longest of these disputes, that involving the present town of East Providence, was not fully settled until about the time of the Civil War, some two and a quarter centuries after Roger Williams lived there.

But in spite of all these troubles things took their inevitable course in the new colony. As time went on children were born in the new settlements, grew up and were married. Smaller farms were divided off from the larger tracts and turned over to the "newly-weds". Fathers of families died, and their wills split the land among their heirs. Settlers kept seeping in from the neighboring colonies or from the Old World, and land was sold to them wherever a bit could be spared from some of the big holdings, or wherever one of the older land owners was "pressed for cash."

Then came a new development, mainly at Newport, Bristol and Providence, that further subdivided much of the Rhode Island land. Maritime commerce laid its prosperous hand on the Rhode Island towns blessed with good harbors. Naturally, shipping brought with it a class of "town dwellers," the clerks and warehousemen necessary in the "trade." The shipowners, too, were city dwellers and built their great town houses, even though some of them still operated the farms that had given them their start in life. It was in this period that the "house lot", as we now understand it, first came into being



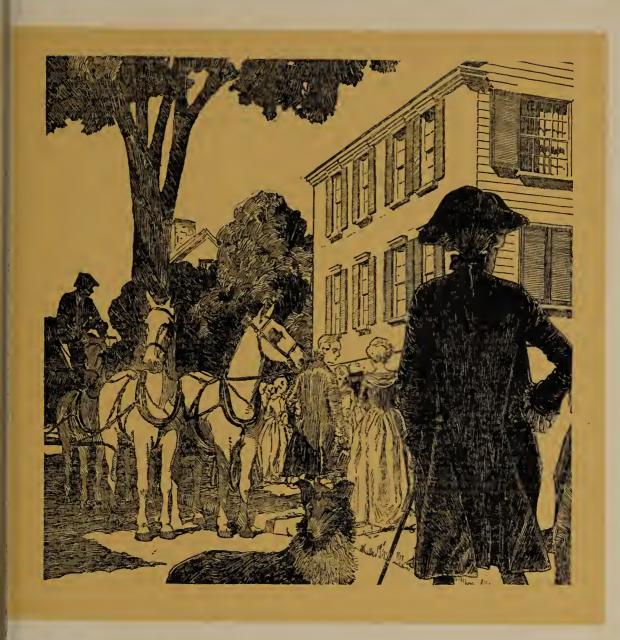
The Growth of the East India Trade

At first the shipping of the Rhode Island towns was purely of a coastwise nature. The ships were small, — hardly to be called ships at all. Later the trade with the West Indies and Europe developed, and then the "tall ships" of Narragansett Bay began sailing to the fabled East Indies and around the world. This growth brought in more and more town dwellers, and the breaking up of the land into small plots went on, with a constant piling up of chains of title and the flaws that inevitably accompany them, even in our time.

Then came the age of manufacture. Men like Samuel Slater of Pawtucket, mechanical and inventive geniuses who, within the limitations of their day, were not inferior to our Edisons and Marconis and Fords, realized that if the new nation were to keep the independence it had early prepared to fight for, it must produce manufactured goods as well as the fruits of the farm; that its great foreign trade, importing so many needed things from the four corners of the earth, did not give the strong life-blood of a nation that home manufacture would put into the veins of the country. So Slater started the manufacturing era of America with his Pawtucket cotton mill, and was followed by others who developed similar industries. That, of course, meant the placing of the stamp of the town dweller permanently and in great measure on Rhode Island life. The multiplication of chains of title and of land transfers swelled to almost unbelievable volume as the lusty infant, "Manufacturing", rapidly grew to giant size.

* * *

And so, starting with a deed from an Indian chief, passing through many hands on the way, your land has come down to you. As you may well imagine, in the course of its progress it has frequently been passed from one owner to another with considerable carelessness in the matter of legal procedure. In the early days, particularly, there were few lawyers, no trained real estate men and no Title Companies to aid the real estate buyer and seller in making absolutely legal transfers of land. Town records were not always accurately kept, as facilities for such work were meagre indeed. Perhaps, too, in your chain of title some former owner of the land passed it on in his will, unknowingly or knowingly, in an absolutely illegal manner, a fault to this day undiscovered. The laws covering sales or other ways of transferring real estate have to be very complicated in



The "Stage Coach Days" brought real Town-life

Thriving settlements of ship yards, docks, warehouses, inns, churches, stores and small manufactories where most of the work was done by hand, — such were the Rhode Island villages that existed when Samuel Slater started his little cotton mill in Pawtucket, harnessed water power for the operation of his wonderful looms, and set the ball of American Industry rolling. In his wake came a great concentration of people in the towns where manufacturing had its foothold, and a greater than ever splitting up of the land into smaller and smaller pieces.

order to cover all possible situations, and so they are laws under which it is easy for mistakes to be made and, unfortunately, for fraud sometimes to be practised.

It is against the results of these very probable happenings that Title Insurance Policies give protection to owners and mortgagees. Remember that our search of the title, made before the issuing of the policy, was similar to the medical examination in the case of life insurance, to determine whether or not you were offering us an "insurable risk". Our search did not necessarily establish the fact that there are no flaws in your title. There may be many that even expert search cannot discover. But if we have issued our Mortgagee's Policy your mortgagee is protected, and if we have issued our Owner's Policy we have protected you, against this danger.

Possibly you have purchased Title Insurance as many people do, largely because your real estate man or your lawyer advised it, or solely because a mortgagee has insisted on it. Many people do buy Title Insurance in this way, feeling all the time in their secret hearts that they have paid for something not really needed. They know they need Fire Insurance, for who has not, many times in each year, actually seen the fire apparatus dashing to a fire; who has not, time and time again, seen buildings crumbling under the attack of flames? But who has ever seen the disastrous results of a title flaw?

Very few people have actually come in contact with title flaws. Everybody runs to a fire in the neighborhood; a sensational divorce case or murder trial will pack a court room; but when John Smith is being sued for thousands of dollars because there is a flaw in his uninsured title, those who know of it are usually confined to the judge, the lawyers, the plaintiff, Smith himself, and a very few of his intimate friends. A title flaw is not spectacular.

In those instances when title flaws appear in an *insured* title like yours, there is even less liklihood that the general public will hear of it. Quietly, efficiently, the experts of the title company go about the "clearing" of the title, bearing all the expense involved, protecting their policy holder at every turn, reimbursing him to the limit of the policy if need be.

So do not gain the impression that title flaws never make trouble, simply because you have seldom, or never, heard of their doing so. They do occur; they do make trouble; they may bring heavy financial loss or even crushing disaster. But the property owner who holds our Owner's Policy and the Mortgagee who is covered by our Mortgagee's Policy can turn to us with perfect confidence if ever faced by this very real, though seldom sufficiently feared, danger. To them it is no danger at all. They have acquired perfect protection in the form that has rightly been called "the cheapest insurance in the world."

* * * *

We hope that you have found this book interesting. We hope it has made it easier for you to see how necessary and how valuable is Title Insurance.

If you have friends who are contemplating the purchase of real estate, loan them this book. Let them get a bird's-eye view of what has gone before in every chain of title in Rhode Island, so that they, too, will realize the wisdom of taking on the same kind of protection you have had the foresight to purchase.

TITLE GUARANTEE COMPANY of Rhode Island ESTABLISHED 1902



Insurance against flaws in Real Estate Titles
66 SOUTH MAIN STREET
Providence. Rhode Island

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